

SUPPORT FOR THE AMENDMENT

This Amendment amends Claims 1-2 and 4-9. Support for the amendments is found in the specification and claims as originally filed. No new matter would be introduced by entry of these amendments.

Upon entry of these amendments, Claims 1-9 will be pending in this application. Claim 1 is independent.

REQUEST FOR RECONSIDERATION

Applicants respectfully request entry of the foregoing and reexamination and reconsideration of the application, as amended, in light of the remarks that follow.

Claims 1-9 are rejected under 35 U.S.C. § 112, second paragraph. To obviate the rejection, the claims are amended. In Claim 2, using conventional notation, R³ and R⁴ of Q can each denote a single bond ("In the main chain of Q, at least one carbon atom is present, ...". Specification at page 6, lines 23-24).

Claims 1-9 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-30 of copending U.S. Application No. 10/376,243. In addition, Claims 1-9 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-30 of U.S. Application No. 10/376,243 in view of WO 00/67072 ("Feiring"). To obviate the double patenting rejections, a Terminal Disclaimer over U.S. Application No. 10/376,243 is attached.

Claims 1 and 8 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over Claim 4 of co-pending U.S. Application No. 10/637,504. Applicants respectfully traverse the rejection.

Claim 4 of co-pending U.S. Application No. 10/637,504 reads as follows:

4. (Original): A process for producing a fluoropolymer, which comprises cyclopolymerizing a functional group-containing fluorinated diene represented by the following formula:



wherein each of R^1 and R^2 which are independent of each other, is a hydrogen atom, a fluorine atom, an alkyl group having at most 3 carbon atoms, or a fluoroalkyl group having at most 3 carbon atoms, and Q is a bivalent organic group having a functional group.

In contrast, Claim 1 of the above-identified application is directed to a "resist composition". Claim 4 of co-pending U.S. Application No. 10/637,504 fails to suggest at least the Claim 1 limitations of "an acid-generating compound (B) which generates an acid under irradiation with light" and "an organic solvent (C)".

Claim 8 of the above-identified application is directed to a "process for forming a pattern". Claim 4 of co-pending U.S. Application No. 10/637,504 fails to suggest at least the Claim 8 limitation of "irradiating the thin film with ultraviolet rays having a wavelength of at most 200 nm".

Because Claim 4 of co-pending U.S. Application No. 10/637,504 fails to suggest all the limitations of Claims 1 and 8, the obviousness-type double patenting rejection over Claim 4 of co-pending U.S. Application No. 10/637,504 should be withdrawn.

Pursuant to M.P.E.P. § 821.04, after independent product Claim 1 is allowed, Applicants respectfully request examination and allowance of method Claims 6-9, which include all the limitations of independent product Claim 1.

Applicants respectfully request that the Examiner acknowledge consideration of the "AA" reference cited in the Information Disclosure Statement filed August 7, 2003, by initialing the associated Form PTO-1449. For the Examiner's convenience a copy of the Form PTO-1449 and the date-stamped filing receipt are attached.

Applicants respectfully request that the Examiner provide an unambiguous acknowledgement that all copies of the certified copies of the priority documents have been received.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance. Applicants respectfully request favorable consideration and prompt allowance of the application.

Should the Examiner believe that anything further is necessary in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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Attachments:

Terminal Disclaimer over U.S. Application No. 10/376,243
Form PTO-1449 and date-stamped filing receipt

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